



General Assembly

Amendment

February Session, 2008

LCO No. 4126

SB0033704126SR0

Offered by:

SEN. MCKINNEY, 28th Dist.

REP. CAFERO, 142nd Dist.

To: Subst. Senate Bill No. **337**

File No. 529

Cal. No. 342

"AN ACT CONCERNING JUVENILE JUSTICE."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Subsection (h) of section 53a-40 of the general statutes, as
4 amended by section 7 of public act 08-1 of the January special session,
5 is repealed and the following is substituted in lieu thereof (*Effective July*
6 *1, 2008*):

7 (h) When any person has been found to be a persistent dangerous
8 felony offender, the court, in lieu of imposing the sentence of
9 imprisonment authorized by section 53a-35 for the crime of which such
10 person presently stands convicted, or authorized by section 53a-35a if
11 the crime of which such person presently stands convicted was
12 committed on or after July 1, 1981, shall sentence such person to a term
13 of imprisonment of not more than forty years and, if such person has,
14 at separate times prior to the commission of the present crime, been
15 twice convicted of and imprisoned for any of the crimes enumerated in

16 [subparagraph (B) of subdivision (1) of] subsection (a) of this section,
17 sentence such person to [a term of imprisonment of not more than] life
18 imprisonment without the possibility of release.

19 Sec. 502. Section 53a-40 of the general statutes, as amended by
20 sections 6 and 7 of public act 08-1 of the January special session, is
21 amended by adding subsection (n) as follows (*Effective July 1, 2008*):

22 (NEW) (n) Whenever a person is eligible to be charged as a
23 persistent dangerous felony offender under subsection (a) of this
24 section and has, at separate times prior to the commission of the
25 present crime, been twice convicted of and imprisoned for any of the
26 crimes enumerated in said subsection, the prosecuting authority shall
27 charge such person as a persistent dangerous felony offender unless
28 the prosecuting authority states in open court the reason for not
29 charging such person as a persistent dangerous felony offender.

30 Sec. 503. Section 53a-35b of the general statutes is repealed and the
31 following is substituted in lieu thereof (*Effective July 1, 2008*):

32 A sentence of imprisonment for life shall mean a definite sentence of
33 sixty years, unless the sentence is life imprisonment without the
34 possibility of release, imposed pursuant to subsection (h) of section
35 53a-40, as amended by this act, or subsection (g) of section 53a-46a, in
36 which case the sentence shall be imprisonment for the remainder of the
37 defendant's natural life."